GOVERNMENT OF INDIA
PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
LOK SABHA

UNSTARRED QUESTION NO:3073
ANSWERED ON:16.03.2016
Serving Corrupt Officials
Chaudhary Shri P.P.;Devi Smt. Veena;Gandhi Shri Dilip Kumar Mansukhlal;Hegde Shri Anant Kumar Dattatreya;Joshi Shri Chandra Prakash;Kachhadia Shri Naranbhai;Shekhawat Shri Gajendra Singh;Shetti Shri Raju alias Devappa Anna;Udasi Shri Shivkumar Chanabasappa

Will the Minister of PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS be pleased to state:

(a) whether the Central Bureau of Investigation (CBI) has issued a list of serving corrupt officials especially the IAS officers recently and if so, the details thereof, Ministry/department-wise;

(b) whether negligent/slack attitude of the Government is responsible for non-filing of charge-sheet against the corrupt officials and if so, the details thereof and reasons therefor;

(c) whether the Government is reviewing the legal provisions to swiftly punish corrupt officers and if so, the details thereof and if not, the reasons therefor; and

(d) whether some of the officials against whom action were taken/being taken are still holding their posts despite their involvement in corruption and if so, the details thereof and the reasons therefor?

Answer

Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Prime Minister's Office. (DR. JITENDRA SINGH)
(a): As a matter of preventive vigilance and upon following the guidelines issued by Ministry of Home Affairs, departments of the central government prepare the list of officers of doubtful integrity. Central Bureau of Investigation suggests addition or deletion of names on the basis of information available with it. Such a list is prepared as a preventive measure to keep the activities of concerned officers under watch.

(b): The Hon'ble Supreme Court of India, vide its judgement dated 18th December,1997 in the case of Vineet Narain Vs Union of India, directed that " time limit of three months for grant of sanction for prosecution must be strictly adhered to. However, additional time of one month may be allowed where consultation is required with the Attorney General (AG) or any law officer in the AG's office". Accordingly, instructions have been issued from time to time to all Ministries/ Departments to strictly abide by the orders of the Supreme Court. It is sometime not possible to adhere to this time limit. The delay which occurs in the sanctioning of prosecution is mostly on account of detailed scrutiny and analysis of voluminous case records and evidence, consultation with Central Vigilance Commission (CVC), State Governments and other agencies, and sometimes non-availability of relevant documentary evidence

Contdâ€¦.2/-

(c): The Government has recently moved the Official Amendments to the Prevention of Corruption (Amendment) Bill, 2013 which is pending in the Rajya Sabha. The said Bill, as of now stands referred to the Select Committee of the Rajya Sabha.

The aforesaid amendments include insertion of new sub-section (5) under section 4 of the Prevention of Corruption Act,1988 to stipulate that the Special Judge shall ensure the completion of the trial within a period of two years from the date of filing of the case and in case the same is not completed within the said period, the Special Judge shall record the reasons therefor and ensure completion of trial within a total period of four years with extension beyond the initial two year period being allowed for six months at a time. Further the section 19 under the aforesaid amendment act, proposes to stipulate that competent authority shall convey its decision for grant or otherwise of the sanction for prosecution within a period of three months extendable by one month if consultation with Attorney General or the Advocate General is required to be undertaken.

(d): Action is taken against such officers in respect of whom charges of disproportionate income or corruption are found proved on completion of departmental proceedings under AIS (Discipline & Appeal) Rules, 1969 & All India Services Rules, or conviction by a court of law. There is therefore no question of the member of service continuing to hold their posts thereafter.

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